

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 MAR 24 AM 9:36

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Michael Edward WRIGHT

Defendant.

Magistrate Case No. '08 MJ 0897 / DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(2)(B)(iii)-  
Bringing in an Illegal Aliens  
Without Presentation

The undersigned complainant being duly sworn states:

On or about **March 21, 2008**, within the Southern District of California, defendant **Michael Edward WRIGHT**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Daniel ROBLES-Corona and Hilda Gabriela ZELADA-Juarez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24<sup>th</sup> DAY OF  
MARCH, 2008.

  
UNITED STATES MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

I, United States Customs and Border Protection (CBP) Enforcement Officer Fernando Cerda, declare under penalty of perjury the following to be true and correct:

The complainant states that **Daniel ROBLES-Corona (Material Witness 1)** and **Hilda Gabriela ZELADA-Juarez (Material Witness 2)** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On March 21, 2008 at approximately 2:34 AM, **Michael Edward WRIGHT (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver and sole visible occupant of a white 1997 Honda Accord. Upon inspection before a CBP (Customs and Border Protection) Officer, Defendant declared he was a United States citizen. Defendant gave a negative Customs declaration and further claimed ownership of the vehicle. The Officer noticed Defendant was nervous; furthermore, he conducted a cursory inspection of the vehicle and discovered people concealed in the trunk. As Defendant was being handcuffed for safety, he pulled out a spare key, turned on the vehicle and attempted to abscond from the Port of Entry. After an unsuccessful escape, Defendant was subdued and escorted to the Security Officer for further investigation.

In secondary, CBP Officers removed the three people that were concealed in the trunk. Two males and one female were assisted escorted to the Security Office. Further investigation revealed the three people in the trunk were citizens of a country other than the United States with no legal documents to enter, pass through or to reside in the United States. The aliens were identified as **Daniel ROBLES-Corona (Material Witness 1)**, **Hilda Gabriela ZELADA-Juarez (Material Witness 2)** and **Erick MIRANDA-Sol**.

During a videotaped interview, Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted he was attempting to smuggle three undocumented aliens in the vehicle he was driving. Defendant was to smuggle the aliens into the United States and deliver them at the AM/PM in Chula Vista, California. Defendant denied he was to receive any type of monetary compensation.

On a separate videotaped interview, Material Witness (MW 1) declared he is a citizen of Mexico with no legal documents to enter the United States. Material Witness (MW 2) declared she is a citizen of Guatemala with no legal documents to enter the United States. Both Material Witnesses stated they were going to Los Angeles, California to pursue residence and employment. MW 2 indicated she was to pay unknown smugglers \$1,800.00 USD upon her entry into the United States. Material Witnesses implicated Defendant, affirming he was present in Tijuana, Mexico at the time they were placed in the trunk. Both Material Witnesses identified Defendant from a photo line up (Form I-378).

EXECUTED ON THIS 21<sup>st</sup> DAY OF MARCH 2008 AT 4:00 PM.

  
Fernando Cerda / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on March 21<sup>st</sup>, 2008 in violation of Title 8, United States Code, Section 1324.

  
MAGISTRATE JUDGE

3/22/08 2:29pm  
DATE/TIME